

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

8:13CR108

vs.

ORDER

KIRK COTTON,  
JOHN DOE # 2, and  
KEVIN M. PITMAN,

Defendants.

This matter is before the court on the motion to extend the pretrial motion deadline by defendant Kirk Cottom (Cottom) (Filing No. 55). Cottom seeks until October 18, 2013, in which to file pretrial motions in accordance with the progression order. Cottom's counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted as to all co-defendants.

**IT IS ORDERED:**

Defendant Cottom's motion for an extension of time (Filing No. 55) is granted. **All defendants** are given until on or before **October 18, 2013**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between September 6, 2013, and October 18, 2013**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

Dated this 4th day of September, 2013.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge